

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ANTHONY ORLANDO
and SUZANNE ORLANDO,

Plaintiffs,

v.

ELI LILLY AND COMPANY,

Defendant.

Case No. 1:14-cv-00438-NT

JOINT OBJECTION TO PROPOSED SCHEDULING ORDER

Plaintiffs Antony and Suzanne Orlando (“Plaintiffs”) and Defendant Eli Lilly and Company (“Defendant”) jointly submit this objection to the Court’s proposed scheduling order. *See* ECF No. 13. Counsel for both parties have met and conferred as required by Fed. R. Civ. P. 26(f) and agree that it would be appropriate for the Court to amend the proposed scheduling order as set forth below. The parties seek to amend the proposed scheduling order because certain counsel for both parties currently are involved in a series of similar lawsuits, each involving Defendant’s product Cymbalta, in jurisdictions across the country, and wish to align the deadlines in this case with those in other existing cases. Such an alignment will make the litigation of this matter more efficient for both parties.

Plaintiffs and Defendant jointly request that the Court amend the proposed scheduling order as follows:

Deadline for Initial Disclosure Pursuant to Fed. R. Civ. P. 26(a)(1): Plaintiffs and Defendant request that the Court move the deadline from April 17, 2015 to **April 24, 2015**.

Deadline for Amendment of the Pleadings and Joinder of Parties: Plaintiffs and Defendant request that the Court move the deadline from June 5, 2015 to **May 29, 2015**.

Deadline for Plaintiffs' Expert Designation and Statement: Plaintiffs and Defendant request that the Court move the deadline from June 5, 2015 to **April 29, 2016**.

Deadline for Defendant's Expert Designation and Statement: Plaintiffs and Defendant request that the Court move the deadline from July 10, 2015 to **May 27, 2016**.

Deadline to Complete Discovery: Plaintiffs and Defendant request that the Court move the deadline from August 21, 2015 to **July 31, 2016**.

Deadline to Identify and Produce Local Rule 44 Records: Plaintiffs and Defendant request that the Court move the deadline from August 21, 2015 to **July 31, 2016**.

Deadline to file Notice of Intent to File Motion for Summary Judgment and Need for a Pre-Filing Conference: Plaintiffs and Defendant request that the Court move the deadline from August 28, 2015 to **August 7, 2016**.

Deadline for Filing of all Dispositive Motions and all *Daubert/Kumho* Motions: Plaintiffs and Defendant request that the Court move the deadline from September 11, 2015 to **August 21, 2016**.

Expected Trial Date: Plaintiffs and Defendant propose to be ready for trial on **December 7, 2016**, rather than January 5, 2016.

Deadline for Plaintiffs' Written Settlement Demand: Plaintiffs and Defendant request that the Court move the deadline from July 24, 2015 to **June 10, 2016**.

Deadline for Defendant's Response to Written Settlement Demand: Plaintiffs and Defendant request that the Court move the deadline from August 7, 2015 to **June 24, 2016**.

Finally, Plaintiffs and Defendant do not seek to amend the proposed scheduling order's assignment of this case to the Standard Track. The proposed scheduling order is also accurate in describing this case as one premised on subject matter jurisdiction and involving a jury trial.

Dated this 10th day of April, 2015.

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CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2015, I caused the foregoing Joint Objection to Proposed Scheduling Order to be electronically filed with the Clerk of Court using the CM/ECF system which sent notification of such filing to all counsel of record.

Dated this 10th day of April, 2015.

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